

SENATE BILL 1231

By Ketron

AN ACT to enact the "Tennessee Student Health Act" and amend Tennessee Code Annotated, Title 49, relative to student health.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 50, is amended by inserting sections 2 through 10 of this act as a new, appropriately designated part thereto.

SECTION 2. This act shall be known, and may be cited as, the "Tennessee Student Health Act".

SECTION 3. Each local education agency shall establish for its district a student health advisory council. The council shall be composed of members of the community knowledgeable concerning education and educational curriculum, nutrition, and health and fitness. The council shall coordinate health curriculum components in a coordinated school health program for the district and shall advise the local education agency of nutrition, health and physical fitness components to include in the same. In addition, the council shall assess on an annual basis the local education agency's compliance with health, nutrition and physical fitness curriculum requirements, as well as its compliance with laws, regulations or policies regarding vending machines, food services and the nutritional content of food served to students, and anti-tobacco policies or educational efforts.

SECTION 4. Every public school student in kindergarten through grade eight (8) shall participate in physical education for the entire school year. Students in kindergarten through grade five (5) shall participate in physical education for at least one hundred fifty (150) minutes during each school week. Students in grades six (6) through eight (8) shall participate in physical education for at least two hundred twenty-five (225) minutes during each school week.

SECTION 5. The state board of education shall provide for a program of instruction that includes physical education academic content standards. Such standards shall include a sequential, developmentally appropriate curriculum that is designed, implemented and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their lives. Local education agencies shall offer instruction in physical education that meets the physical education academic content standards.

SECTION 6. Local education agencies shall devote at least fifty percent (50%) of physical education class time to actual physical activity in each school week, with as much class time as possible spent in moderate physical activity.

SECTION 7. Notwithstanding any provision of this part to the contrary, a student with disabilities, or a student who has chronic health problems, other disabling conditions or other special needs that preclude the student from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of the individualized education program or individualized health plan developed for that student or similarly situated students by the local education agency.

SECTION 8. The local education agency shall assess school curriculums at regular intervals to measure the attainment of the minimum number of minutes that students are required to participate in physical education under this part.

SECTION 9. All teachers of physical education in kindergarten through grade eight (8) shall be adequately prepared and shall regularly participate in professional development activities to effectively deliver the physical education program.

SECTION 10. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, title 4, chapter 5.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.